

CASE SUMMARY

Land Development Code Amendment

Meeting:	City Council August 2, 2011
Case Number:	LDC-1-711
Proposed Amendment:	To eliminate off-street parking requirements for religious institutions located within the 1945 corporate limits under certain conditions
Code Sections(s):	Chapter 18, Article 9, Sec. 18-526
Applicant:	City of Wilmington
Presented By:	Brian Chambers, Associate Planner
Planning Commission Recommendation:	APPROVAL, 6-0
Staff Recommendation:	APPROVAL

BACKGROUND

The proposed amendment would exempt from the city's off-street parking requirements religious institutions located within the 1945 corporate limits that are otherwise required to provide no more than 50 parking spaces and where on-street parking is available within a two-block radius. Per the Land Development Code, a minimum of one space per every four seats and a maximum of one space per every three seats are required for religious institutions. Exceptions to this provision currently apply to properties located within the Central Business District (CBD), the Historic District Mixed Use (HDMU) district, and those located within the Historic District (HD) that are within 1,320 feet of a government-owned parking facility. In these instances, the off-street parking requirements do not apply.

There are approximately 67 religious institutions located within the 1945 corporate limits (see Attachments 1 & 2). The seating capacities of these institutions range from under 50 seats to over 1,500 seats, with the average capacity being 400. There are seven institutions that fall under one of the exceptions outlined above and are not required to meet the off-street parking requirements.

BENCHMARK CITIES RESEARCH

The table below provides a summary of the off-street parking requirements for religious institutions in City Council's identified benchmark cities. The majority of these cities provide some form of exception to these requirements by allowing shared parking agreements, a reduction in the amount of required parking, and the elimination of off-street parking requirements for designated areas of the city or a combination thereof.

Benchmark Information – Off-street Parking Standards for Religious Institutions

City	Minimum Off-street Parking Required	Exceptions
Savannah, GA	1 per 8 seats	For neighborhood places of worship where 25 % of the members walk to services the parking may be reduced proportionately; no off-street parking required in BC-1 (Central Business), B-B (Bayfront Business) Districts
Charleston, SC	1 per 4 seats	80 % of the required spaces may be provided at an off-site public or private parking lot that is accessory to another use not open or operating during the time of weekend services and within 400 feet of the place of worship; written permission from owner of lot indicating times parking is to be permitted shall be submitted to zoning administrator prior to approval
Asheville, NC	1 per 8 seats	On-street parking may be used to provide up to 50 % of the required off-street parking provided: A. On-street parking is permitted on the street where the parking is proposed to be located; B. The on-street parking is located within 1,000 feet; C. The city traffic engineer has approved the on-street parking; and D. Area residents have been notified of the proposed parking arrangement. No off-street parking required in CBD
St. Petersburg, FL	1 per 300 sf gfa of group seating areas	Shared parking agreements permitted
Chattanooga, TN	1 space per 3 seats in main auditorium	Required off-street parking may be reduced up to 30% in Urban Overlay Zone (downtown and surrounding neighborhoods); no off-street parking required in CBD
St. Augustine, FL	1 space per 4 seats in largest assembly area.	No off-street parking required in historic districts
New Bern, NC	1 space per 4 seats	Satellite parking permitted within 600 feet of entrance provided land is in same ownership or a lease, license or easement has been granted
Annapolis, MD	1 space per 6 seats	Shared parking permitted as approved by Planning and Zoning Director
Alexandria, VA	1 space per 5 seats	A special use permit may be obtained for the provision of less off-street parking than is otherwise required subject to conditions
Raleigh, NC	1 space per 8 seats in principal assembly room.	Lots purchased by a church prior to 1950 are exempt from off-street parking requirements
Santé Fe, NM	1 space per 4 seats	Off-site parking permitted within 600 feet with long-term lease (5-yr min); waiver of parking requirements may be granted by Board of Adjustment
Wilmington, NC	1 per 4 seats	Off-street parking may be provided off-site, on a lot within two city blocks or 650 feet with approved agreement; no off-street parking required in CBD, HDMU or in HD when located within 1,320 feet of public parking structure; shared parking agreements permitted

ANALYSIS

Exceptions are already made for properties located in the 1945 corporate limits with respect to building setbacks, buffer requirements, lot coverage and mixed-use buildings. These flexible standards help preserve and protect the unique character and historic development pattern within this area. The proposed amendment would provide an exception to the off-street parking requirements by allowing religious institutions that would otherwise be required to provide no more than 50 off-street parking spaces to utilize existing on-street parking to meet their parking needs.

Off-street parking requirements are intended to alleviate congestion in the streets and allow for the efficient storage of motor vehicles while at the same time reducing any negative environmental impacts to the urban area. Religious institutions are currently required to provide a minimum of one space per every four seats. This standard requires a religious institution with 200 seats to provide a minimum of 50 off-street parking spaces. A typical city block can accommodate approximately 80 on-street parking spaces (20 on each side of the block) and 480 on-street parking spaces within a two-block radius. Given the amount of on-street parking typically available and the typical peak usage times of religious institutions, staff believes that the current supply of on-street parking justifies the proposed amendment. The proposed amendment would allow the land use pattern found within the 1945 corporate limits to persist while limiting the need for off-street parking areas that can degrade the urban fabric.

JUSTIFICATION

The following policy directives are relevant to this request:

The Wilmington Future Land Use Plan 2004 – 2025:

Redevelopment

Strategy 1.1.5

Improve existing standards to reduce minimum parking requirements for designated Redevelopment Areas based on the provision of shared parking with adjacent uses, use of alternative transportation modes, or pedestrian amenities such as sidewalks or cross-access to adjacent development.

SouthSide Small Area Plan

Economic Development

Strategy 11.6

Improve existing development standards to reduce minimum parking requirements for redevelopment projects in the SouthSide area, where appropriate.

Applicability: Both the Future Land Use Plan (FLUP) and the SouthSide Small Area Plan recognize the need to reduce minimum off-street parking requirements in order to remove an unnecessary impediment to redevelopment. The proposed amendment would exempt religious institutions with minimal parking impacts from the off-street parking standards thereby encouraging redevelopment.

City of Wilmington Strategic Plan

Welcoming Neighborhoods and Public Spaces – The City will support diverse housing options and unique neighborhoods and plan for sustainable, quality redevelopment. We will promote active use of City and regional parks, partner to enhance our public spaces, and protect and maximize our natural resources.

Applicability: The city's strategic plan recognizes that sustainable redevelopment is an important part of a thriving neighborhood. Religious institutions play an important role in our city's neighborhoods as they create a sense of community and provide a place for social interaction. The proposed amendment would encourage religious institutions to continue to serve the community at their current locations and help protect the urban development pattern that is unique to this area of the city.

PROPOSED AMENDMENT

Additions are underlined and deletions are in ~~strike through~~.

Amend Article 6 Sec. 18-526 as follows:

Sec. 18-526. Off-street parking standards.

- (i) Exception to off-street parking standards

- (5) Religious institutions located in the 1945 corporate limits. The provisions of subsection (b) shall not apply to religious institutions that require 50 or fewer parking spaces if on-street parking is available within a two-block radius. Off-premises parking shall be encouraged through subsection 18-526(d) of this chapter.

CONCLUSIONS / RECOMMENDATION

The proposed amendments would exempt from the off-street parking standards all religious institutions located within the 1945 corporate limits that would be required to provide no more than 50 off-street parking spaces and where on-street parking exists within a two-block radius. The 1945 corporate limits are generally used to delineate the city's urban core and several exceptions are made for properties within the 1945 limits in an effort to preserve and protect the unique character and historic development pattern of this area. The availability of on-street parking is one of the many characteristics that make this area unique. Removing the off-street parking requirements for religious institutions within the 1945 corporate limits may encourage their continued use at their current locations. The amendment would eliminate an unnecessary impediment to redevelopment and help protect the urban development pattern unique to this area of the city. The proposal is consistent with the FLUP and the SouthSide Small Area Plan and supports the goals of the city's strategic plan. Staff recommends **approval** of the amendment.

NEIGHBORHOOD CONTACT

City Notifications:	Planning Commission	City Council
Signs Posted	N/A	N/A
Adjacent Letters	N/A	N/A
Advertisement Dates	7/8/11	7/22/11 & 7/29/11
General Inquiries:	Donald Hatcher	

ACTIONS TO DATE

Planning Commission: 7/13/11 – Recommended Approval, 6-0

No one spoke in favor of or in opposition to the proposal. One commissioner inquired as to the motivation for the amendment. Staff explained that there was an instance in which a religious institution within the 1945 corporate limits was unable to rebuild (after demolishing) at their current location due to current code constraints and that City Council had requested staff to identify an alternative that would allow this institution to redevelop. Staff explained that this proposal was a result of that effort. After a brief discussion, the Planning Commission voted unanimously to recommend approval of the amendment.

City Council: Scheduled for public hearing 8/2/11

ATTACHMENTS

1. Map of existing religious institutions within the 1945 corporate limits (dated 6/13/11)
2. List of existing religious institutions within the 1945 corporate limits (dated 6/13/11)
3. July 13, 2011 Planning Commission meeting minutes (draft)
4. July 13, 2011 Planning Commission Recommendation

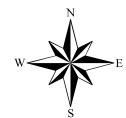
Land Development Code Amendment

LDC-1-711

Attachment 1 Religious Institutions in 1945 Corporate Limits

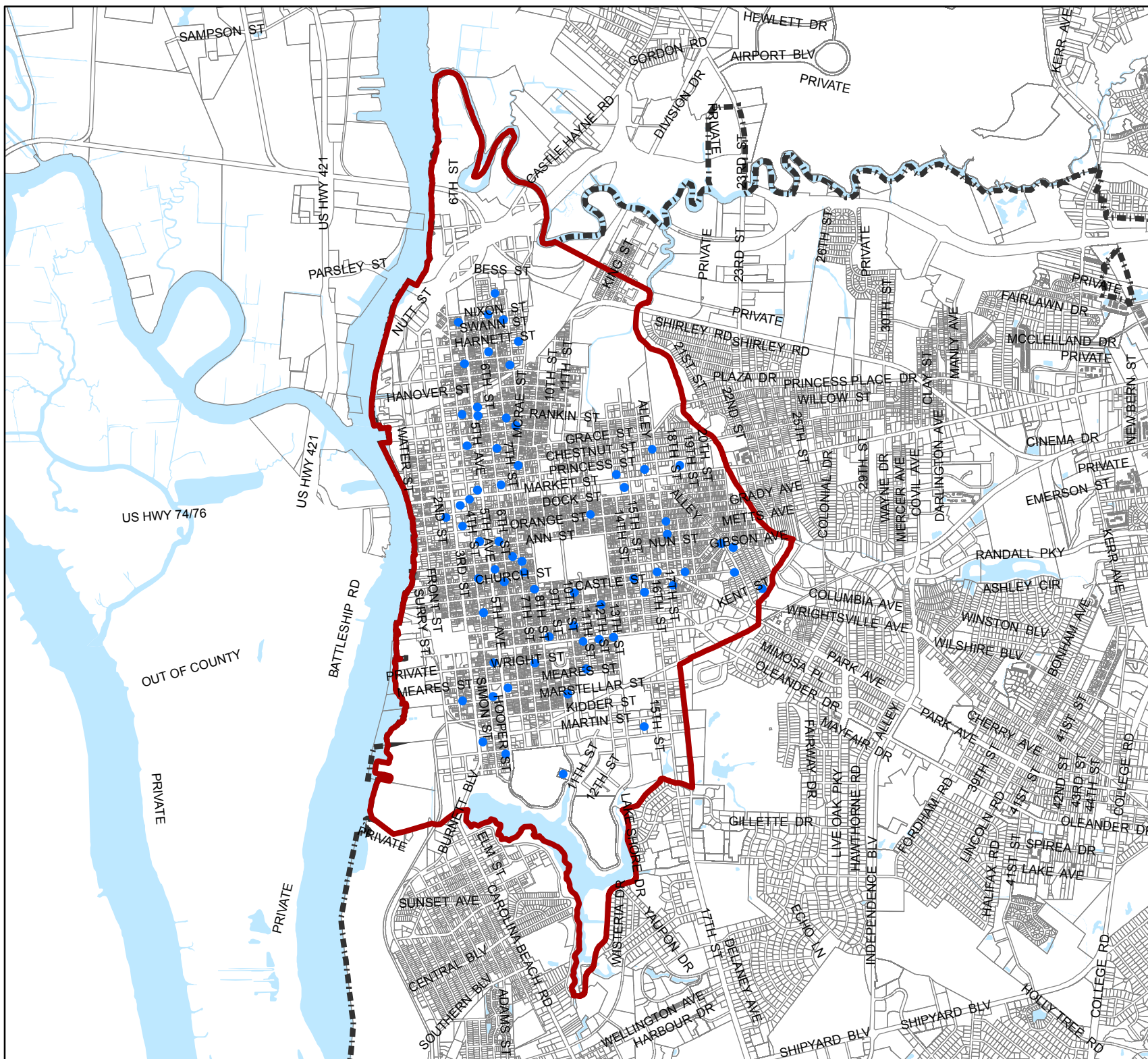


- Religious Institutions (67)
- ▭ 1945 Corporate Limits
- ▭ City Limits



Date: 6.13.11

City of Wilmington GIS



Institution	Address	Zoning	Lot Size	Building Size	Seating Capacity
AME CHURCH PRICE CATHEDRAL	1201 ORANGE ST	R-5	4,356	3,122	220
ANDERSON TABERNACLE CHURCH	301 S 17TH ST	R-5	10,421	2,808	Not Available
APOSTOLIC COMMUNITY TEMPLE	625 S 4TH ST	R-3	15,790	4,745	185
APOSTOLIC HUMBLE HWY HOLINESS	1019 S 11TH ST	R-5	19,800	4,576	49
BETHESDA CHRISTIAN LIFE CHURCH	506 N 4TH ST	CBD	10,197	6,212	300
CENTRAL BAPTIST CHURCH	702 RED CROSS ST	HD-MU	5,510	4,236	400
CHESTNUT STREET PRESBYTERIAN CHURCH	712 CHESTNUT ST	HD-R	17,871	5,745	397
CHURCH OF GOOD SHEPHERD	515 QUEEN ST	R-3	20,019	3,978	235
EPHESUS SDA CHURCH	1002 CASTLE ST	R-5	53,315	7,205	270
FAITH TEMPLE CHURCH OF GOD IN CHRIST	1119 S 4TH ST	MF-H	18,897	6,493	400
FIFTH AVE BAPTIST CHURCH	817 N 5TH AVE	R-3	6,825	3,654	185
FIFTH AVENUE UNITED METHODIST	409 S 5TH AVE	HD-R	50,820	13,317	400
FIRST BAPTIST MISSIONARY CHURCH	520 N 5TH AVE	O&I-1	66,430	35,026	685
FIRST BAPTIST CHURCH	411 MARKET ST	HD	48,866	22,861	850
FIRST CHURCH-CHRIST SCIENTIST	1620 CHESTNUT ST	R-7	6,772	5,616	144
FIRST PRESBYTERIAN CHURCH	125 S 3RD ST	HD-R	52,083	22,012	600
FREEDOM FELLOWSHIP & WORSHIP	2022 KENT ST	CS	11,013	1,653	60
GIBSON AVENUE BAPTIST CHURCH	2037 WRIGHTSVILLE AVE	R-5	81,993	4,942	268
GRACE UNITED METHODIST CHURCH OF WILMINGTON	401 GRACE ST	HD-MU	21,780	5,856	450
GREENFIELD BAPTIST CHURCH	1401 S 3RD ST	O&I-1	22,275	4,408	Not Available
GREGORY UNITED CHURCH OF CHRIST	609 NUN ST	R-3	32,505	3,302	Not Available
HEALING WATER HOLY TEMPLE CHURCH	411 WRIGHT ST	R-5	3,411	2,375	40
HISTORIC ST THOMAS CHURCH	208 DOCK ST	HD	11,119	4,597	180
HOLY GHOST DELIVERANCE TABERNACLE OF PRAYER	425 S 4TH ST	HD-R	5,445	5,064	Not Available
HOPE BAPTIST MISSION	1401 GREENFIELD ST	O&I-1	43,560	3,654	102
KELLYS CHAPEL AME CHURCH	1125 S 2ND ST	R-3	10,890	2,506	180
LAKE FOREST BAPTIST CHURCH	1626 LAKE BRANCH DR	R-5	74,365	8,781	260
LIFE REVIVAL CENTER CHURCH	511 S 16TH ST	CS	5,750	2,625	Not Available
LOVE CENTER CHURCH	615 S 15TH ST	CS	26,416	3,462	65
LOVE CHAPEL CHURCH OF GOD	1105 N 8TH ST	R-3	34,650	7,719	Not Available
MACEDONIA FIRE BAPTIZED HOLINESS CHURCH	1103 S 5TH AVE	R-5	49,500	10,300	460
MASJID MOHAMMED UNINCORPORATED	721 CASTLE ST	MSMU	1,488	1,200	Not Available
MRD REVIVAL CENTER MINISTRIES	920 N 6TH ST	O&I-1	64,975	14,088	300
MT CALVARY BAPTIST CHURCH	812 HARNETT ST	R-3	41,718	6,026	299
MT MORIAH UNITED HOLY CHURCH	1413 CASTLE ST	R-3	5,444	2,851	200
MT NEBO BAPTIST CHURCH	801 S 10TH ST	R-5	15,180	8,299	Not Available
MT OLIVE AME CHURCH	1001 S 7TH ST	R-5	10,230	7,036	540
MT RONEY BAPTIST CHURCH	711 TAYLOR ST	R-3	10,382	4,933	330
MT ZION AME CHURCH	1111 N 5TH AVE	R-3	7,560	4,001	380
NEW BEGINNING CHRISTIAN CHURCH	401 S 7TH ST	R-3	3,957	2,642	120
NEW COVENANT HOLINESS CHURCH	1020 DAWSON ST	R-5	33,462	10,284	475
NEW HOPE BAPTIST CHURCH	701 S 12TH ST	R-5	6,700	4,100	Not Available
NEW JERUSALEM BAPTIST CHURCH	504 S 6TH ST	R-3	2,625	2,450	Not Available
NEW TESTAMENT CHURCH	609 S 17TH ST	CS	7,920	2,437	Not Available
CHRIST RESURRECTION POWER MINISTRIES	2024 WRIGHTSVILLE AVE	R-5	2,363	1,477	Not Available
SHILOH BAPTIST CHURCH	719 WALNUT ST	HD-R	21,384	7,352	514
SOUL SAVING STATION OF WILMINGTON	805 DAWSON ST	CB	27,547	3,337	170
SPEAKS TEMPLE AFRICAN METHODIST	1120 DAWSON ST	R-5	17,028	1,909	Not Available
ST ANDREWS AME ZION CHURCH	1201 S 9TH ST	R-5	9,900	6,025	Not Available

Institution	Address	Zoning	Lot Size	Building Size	Seating Capacity
ST ANDREWS PRESBYTERIAN CHURCH OF COVENANT	1416 MARKET ST	O&I-1	69,120	28,189	385
ST JAMES CHURCH	25 S 3RD ST	HD	87,120	6,570	600
ST LUKE AME ZION CHURCH	709 CHURCH ST	R-3	17,756	7,003	765
ST MARKS EPISCOPAL CHURCH	600 GRACE ST	HD-R	12,672	7,811	618
ST MARKS FREEWILL BAPTIST	1801 CASTLE ST	CS	5,655	1,830	Not Available
ST MARYS CATHOLIC CHURCH	412 ANN ST	HD-R	65,450	7,620	485
ST PAULS EPISCOPAL CHURCH	16 N 16TH ST	O&I-1	21,780	12,355	365
ST PAULS EVANGELICAL LUTHERAN	12 N 6TH ST	HD	66,660	10,725	350
ST PHILLIPS AME CHURCH	815 N 8TH ST	R-3	25,412	6,028	540
ST STEPHENS AME CHURCH	501 RED CROSS ST	HD-MU	12,752	9,630	Not Available
TEMPLE BAPTIST CHURCH OF WILMINGTON	1801 MARKET ST	R-7	101,130	16,852	550
TEMPLE OF ISRAEL	1 S 4TH ST	HD	4,356	2,765	470
THE LORDS CHURCH OF WILMINGTON	1502 E LAKE SHORE DR	CB	22,500	7,014	120
TRINITY UNITED METHODIST	1403 MARKET ST	O&I-1	31,944	11,581	617
UNION BAPTIST CHURCH	515 ANN ST	HD-R	8,526	6,247	1720
UNITED HOUSE OF PRAYER FOR ALL	1220 DAWSON ST	R-5	14,487	7,593	260
WARNER TEMPLE AME ZION CHURCH	620 NIXON ST	R-3	18,188	10,474	350
WRIGHTSVILLE AVE CHURCH OF GOD	2132 WRIGHTSVILLE AVE	R-5	20,406	5,022	300

**CITY OF WILMINGTON
PLANNING COMMISSION MEETING
DRAFT MINUTES EXCERPT
July 13, 2011**

5. Land Development Code Amendment – To amend Section 18-526 to eliminate off-street parking requirements for religious institutions located in the 1945 Corporate Limits under certain conditions. Brian Chambers, Associate Planner (LDC-1-711)

Brian Chambers, Assoc. Planner, reviewed the staff report and explained that this amendment would eliminate off-street parking requirements for religious institutions located in the 1945 corporate limits for those institutions that require 50 or fewer off-street parking spaces and where there is existing on-street parking within a two block radius. The Land Development Code (LDC) currently requires religious institutions to provide a minimum of 1 space for every 4 seats. This means a church or any religious institution that has 200 seats must provide 50 off-street parking spaces. An exception to this standard is that religious institutions located in the CBD, HDMU and the Historic District within 1,320 ft. of a government-owned parking facility would not be required to meet the parking standards. He presented a graphic showing that the typical block in the 1945 corporate limits has about 80 on-street parking spaces. Within a two block radius, there are approximately 480 on-street parking spaces. Given the amount of on-street parking that is typical in the 1945 corporate limits, and the typical usage hours of a religious institution, staff believes the supply of on-street parking justifies the proposed amendment. There are currently approximately 66 religious institutions located in the 1945 corporate limits and their seating capacities range from 50 to more than 1,500 seats. The average is about 400. By staff's calculations, 13 of the approximately 66 religious institutions would meet the conditions of the proposed amendment. The LDC already provides exceptions for properties located in the 1945 corporate limits with the intent to protect the existing historic development pattern in this area. Removing the parking requirements for religious institutions may allow these uses to remain at their existing locations. It would also help protect the existing development pattern in the 1945 corporate limits. The proposed amendment is consistent with the City's long-range plans and policies; therefore, staff recommended approval of the amendment.

In response to questions from Mr. Rhett, Mr. Chambers explained that loading zones would be a separate issue. If a loading zone is required, it would not be affected by this amendment. Mr. Rhett stated that a big truck may want to load up the restaurant for the week on a Sunday morning. Mr. Chambers did not think this would be a problem, but staff did not look into the impact on loading zones in this area. Staff specifically looked at the off-street parking requirements. Mr. Rhett asked how handicap parking is dealt with relative to on-street parking and Mr. Chambers explained that the minimum handicap spaces would have to be provided.

Mr. Dawson asked why this came up and Mr. Chambers explained that older churches located in the 1945 corporate limits can't expand or redevelop under the current standards. This amendment would allow some flexibility for those churches provided there is adequate on-street parking in the general area. Mr. Satterfield added that three or four months ago a gentleman approached City Council with a parking issue with a church they were trying to construct. It was a redevelopment site and Council asked staff to try to solve the issue. Prior to proposing this amendment, staff reviewed other avenues such as a parking agreement with other property owners within prescribed areas as allowed by the Code, but that didn't work out.

No one asked to speak for or against this request and the public hearing was closed.

Mr. Barbour moved to approve this request. It was seconded by Mr. Dawson and carried 6-0.

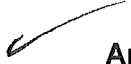
Agenda Item#: 5

Address: N/A

Case Number: LDC - 1-711

Hearing Date: 7.13.11

Planning Commission Recommendation



Approval - this request is consistent with the objectives and policies of the following plans adopted by the City of Wilmington:

- | | |
|--|---|
| <input checked="" type="checkbox"/> Future Land Use Plan | <input type="checkbox"/> Dawson-Wooster Corridor Plan |
| <input type="checkbox"/> Wrightsville Avenue Corridor Plan | <input type="checkbox"/> South 17 th St/Independence Blvd. Corridor Plan |
| <input checked="" type="checkbox"/> Vision 2020: A Waterfront Downtown | <input type="checkbox"/> Special Highway Overlay District |
| <input type="checkbox"/> Carolina Beach Road Corridor Plan | <input type="checkbox"/> NorthSide Community Plan |
| <input type="checkbox"/> College Road Corridor Plan | <input type="checkbox"/> City of Wilmington Strategic Plan |
| <input type="checkbox"/> Market Street Corridor Plan | <input type="checkbox"/> Other: _____ |
| <input type="checkbox"/> Oleander Drive Corridor Plan | |

Therefore, the Planning Commission recommends approval of this request.

Denial - this request is not consistent with the objectives and policies of the following plans adopted by the City of Wilmington:

- | | |
|--|--|
| <input checked="" type="checkbox"/> Future Land Use Plan | <input type="checkbox"/> Dawson-Wooster Corridor Plan |
| <input checked="" type="checkbox"/> Wrightsville Avenue Corridor Plan | <input type="checkbox"/> South 17 th St/Independence Blvd Corridor Plan |
| <input checked="" type="checkbox"/> Vision 2020: A Waterfront Downtown | <input type="checkbox"/> Special Highway Overlay District |
| <input type="checkbox"/> Carolina Beach Road Corridor Plan | <input type="checkbox"/> NorthSide Community Plan |
| <input type="checkbox"/> College Avenue Corridor Plan | <input type="checkbox"/> City of Wilmington Strategic Plan |
| <input type="checkbox"/> Market Street Corridor Plan | <input type="checkbox"/> Other: _____ |
| <input type="checkbox"/> Oleander Drive Corridor Plan | |

Therefore, the Planning Commission recommends denial of this request.

Comments:

This report reflects the recommendation of the City of Wilmington Planning Commission, this the 13 day of July 2011.

Attest:



 McKinley Dull, Planning Commission Chair